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HOUSE BILL 716

42ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1996

INTRODUCED BY

R. DAVID PEDERSON

AN ACT

RELATING TO VITAL STATISTICS: REMOVING A PROHIBITION REGARDING PREPARATION OR ISSUANCE OF A COPY OF A BIRTH CERTIFICATE: AMENDING A SECTION OF THE NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 24-14-28 NMSA 1978 (being Laws 1961, Chapter 44, Section 26, as amended) is amended to read:

COPIES OR DATA FROM THE SYSTEM OF VITAL "24-14-28. STATISTICS. -- In accordance with the Vital Statistics Act and the regulations adopted pursuant to that act:

the state registrar shall, upon receipt of a written application, issue a certified copy of any certificate or record in his custody to anyone demonstrating a tangible and direct interest, except that:

certified copies of birth records shall

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exclude all medical information unless a complete certificate is specifically requested and the request for a complete certificate is approved by the state registrar; and

- (2) issuance of copies of birth records shall be subject to the provisions of the Missing Child Reporting Act;
- B. a certified copy of a certificate or any part thereof, including records reproduced from paper documents or photographic, magnetic or electronic files, shall be considered for all purposes the same as the original and is prima facie evidence of the facts therein stated; provided that the evidentiary value of a certificate or record filed more than one year after the event or a record which has been amended shall be determined by the judicial or administrative body or official before whom the certificate is offered as evidence:
- C. the agency of the United States government responsible for national vital statistics may be furnished copies or data as it may require for national statistics, upon the condition that the data shall not be used for other than statistical purposes unless so authorized by the state registrar;
- D. at the discretion of the state registrar, federal, state, local and other public or private agencies may upon request be furnished copies or data for statistical or administrative purposes upon the conditions as may be prescribed by the department;

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E. no person shall prepare or issue any report of an
induced abortion or any certificate which purports to be an
original, <u>a</u> certified copy, <u>a reproduction of a certified copy</u>
or \underline{a} copy of a certificate of $[\frac{birth}{}]$ death or spontaneous
fetal death [or reproduction of a certified copy] <u>or an original</u>
certificate of birth, except as authorized in the Vital
Statistics Act or regulations adopted pursuant to that act: and

the state registrar may, by written agreement, transmit copies of records and other reports required by the Vital Statistics Act to offices of vital statistics outside this state when the records or other reports relate to residents of those jurisdictions or persons born outside those jurisdictions. The agreement shall require that the copies be used for statistical purposes only and shall provide for the retention and disposition of copies. Copies received by the state registrar from offices of vital statistics in other states shall be handled in the manner prescribed in this section."

EFFECTIVE DATE. -- The effective date of the Section 2. provisions of this act is July 1, 1996.

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